

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date set forth below as Express Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Signature  
and Deposit: September 22, 2005

  
George E. Haas Reg. No. 27,642

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Hiroshi Kobata, *et al.*

Serial No.: Based On PCT JP2004/004278

Filed: Herewith

For: Control Apparatus for Hydraulic Cylinder

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**PETITION TO ACCEPT A PATENT APPLICATION MADE BY  
OTHER INVENTORS ON BEHALF OF NON-SIGNING INVENTOR**

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Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This petition accompanies a nonprovisional patent application that includes a declaration prescribed in 37 C.F.R. §1.63 which was signed by applicants Hiroshi Kobata and Christopher J. Kolbe. However, that declaration has not been signed by co-inventor Rollin C. Christianson, who has failed to respond to attempts to have him sign the application. Thus, Mr. Christianson apparently refuses join in the patent application.

37 C.F.R. 1.47(a) states:

“If a joint inventor refuses to join in an application for patent or cannot be found or reached after diligent effort, the application may be made by the other inventor on behalf of himself or herself and the nonsigning inventor.”


After making the subject invention, Mr. Christianson left his employer, HUSCO International, Inc. and went to work for a competitor company. Enclosed is a Statement of Donald Reinicker, an officer of HUSCO International, attesting that a final version of the subject patent application was mailed to Mr. Christianson for signature and that repeated requests were made to have him sign the declaration for that application. To date, Mr. Christianson has neither returned the signed application, nor replied to the reminder letters sent to him.

Therefore, the remaining applicants petition under 37 C.F.R. 1.47(a) to have this application accepted on behalf of themselves and the non-signing inventor, Rollin C. Christianson.

The \$130.00 fee required under 37 C.F.R. §1.17(h) to consider this petition, as well as any other fees deemed due in this matter, should be charged to Deposit Account No. 17-0055.

Respectfully submitted,  
Kevin Lorimer, *et al.*

Dated: September 22, 2005

By:   
George E. Haas  
Registration No. 27,642

Quarles & Brady LLP  
411 E. Wisconsin Avenue Suite 2040  
Milwaukee, WI 53202-4497  
Telephone (414) 277-5751

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Hiroshi Kobata, *et al.*

Serial No.:

Filed: Herewith

For: Control Apparatus for Hydraulic Cylinder

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**STATEMENT OF DONALD REINICKER REGARDING  
ATTEMPTS TO REACH NON-SIGNING INVENTOR**

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Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Donald Reinicker, am an officer of HUSCO International, Inc., a co-owner of the above-identified patent application.

I am making this Statement in support of a petition pursuant to 37 C.F.R. §1.47 to accept that patent application made by the other inventors on behalf of co-inventor Rollin C. Christianson, who has not signed the application despite repeated attempts to have him do so.

The following actions chronicle my efforts to have Mr. Christianson sign the declaration for the subject patent application:

1. At the time that the invention was conceived, Rollin C. Christianson was an employee of HUSCO International, Inc. Thereafter, he left that employment and began working for a competitor.

2. On March 9, 2005, I sent the final version of the subject patent application to Mr. Christianson by first class mail to his last known home address. A copy of the cover letter is being submitted as Exhibit A.

3. On March 30, 2005, I telephoned Mr. Christianson at his new employer. He stated that he had not read the patent application which I had sent to him, but that he would study it.

4. On June 6, 2005 having heard nothing further from Mr. Christianson, I sent him a reminder letter by first class mail. A copy of that letter is being submitted as Exhibit B.

5. I did not receive a response to my June 6, 2005 letter. Therefore, I sent a second reminder letter by first class mail to Mr. Christianson on July 25, 2005. A copy of that letter is being submitted as Exhibit C.

6. As of the date of this Statement, I have not received a reply from Mr. Christianson to my reminder letters, nor have I received the signed patent application which was sent to him.

Dated: September 19, 2005

Respectfully submitted,



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Donald Reinicker  
Vice President

HUSCO International, Inc.  
P.O. Box 257  
W239 N218 Pewaukee Road  
Waukesha, WI 53187-0257

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# **HUSCO**

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APPLICANT'S  
EXHIBIT

A

March 9, 2005

Rollian Christianson  
W311 S108 Wildwood Trail  
Delafield, WI 53108

Subject: PCT National Phase Application  
**Control Apparatus for Hydraulic Cylinder**  
HUSCO Ref.: H-1148

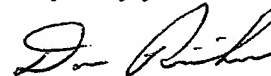
Dear Rollin,

Enclosed is the final version of a patent on the above identified invention. We need you to review the application and provide your signature in the 2 places indicated. Declaration - sign and date the application in the area indicated. Assignment - sign and date the application in the area indicated and have it notarized. If you would like to have Sharon do the notarization please contact her to set up a time to visit and get the document notarized.

If you see any need to make changes to the application please let me know. The Declaration had your address shown incorrectly. I believe it is now correct.

A return envelop has been provided so you can return the signed documents back to me. We would appreciate your quick response on this matter in order to get the document in the mail no later than March 21, 2005.

Very truly yours,



Don Reinicker  
Vice President

# **HUSCO**

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APPLICANT'S  
EXHIBIT

B

June 6, 2005

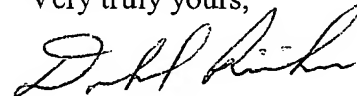
Rollin Christianson  
W311 S108 Wildwood Trail  
Delafield, WI 53108

Subject: PCT National Phase Application  
**Control Apparatus for Hydraulic Cylinder**  
HUSCO Ref.: H-1148

Dear Rollin,

This is a follow up to the letter and information sent to you on March 9, 2005. If you have any issues with signing the documents or getting them notarized please let me know as soon as possible. I am already past the imposed deadline for sending the documents back to Japan.

Very truly yours,



Don Reinicker  
Vice President

# **HUSCO**

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*Mailed 7/25/05*

APPLICANT'S  
EXHIBIT

C

July 25, 2005

Rollin Christianson  
W311 S108 Wildwood Trail  
Delafield, WI 53108

Subject: PCT National Phase Application  
**Control Apparatus for Hydraulic Cylinder**  
HUSCO Ref.: H-1148

Dear Rollin,

This is a second follow up to the letter and information sent to you on March 9, 2005 and the reminder on June 6, 2005. If you have any issues with signing the documents or getting them notarized please let me know as soon as possible. Also if you are not going to sign the documents I would appreciate the courtesy of a reply to that regard. Gotoh & Partners, the Japanese patent attorneys for Kayaba, have advised that the last possible file date is September 26, 2005. Hopefully you will be able to review and execute the documents well before that deadline.

Very truly yours,



Don Reinicker  
Vice President